



Report to Planning & Zoning Commission

Clay County, Missouri

Case Number	August 15-132F
Case Type	Conservation District ("CD") Final Plan / Final Plat
Project Name	Oakbrook Second Plat

Applicant	Wilbur M. Souder, P.E., Aylett, Survey & Engineering Co. 201 NW 72 nd Street Gladstone, MO 64118
Owner	Star Development Corp. 244 W. Mill Street, Suite 101 Liberty, MO 64068
Request	Final Plan / Final Plat approval for <u>Oakbrook Second Plat</u>

Application Submittal	2015-07-06
Public Notice Published	N/A
Neighbor Letters Sent	2015-07-17
Report Date	2015-07-29

REPORT AUTHOR(S)	Debbie Viviano, Planner Matt Tapp, Manager
Recommendation	TABLE to next Planning & Zoning Commission (PZC) meeting (September 1, 2015)



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General Information

Site Location: Approx. along NE 136th Street between A Hwy and Plattsburg Road
Section 7 | Township 52 | Range 31

Site Size: 84.0± acres

Existing Landuse & Zoning: Residential Low Density District (R-1A) with Conservation District (CD) Overlay District

Zoning/Platting History:

Popejoy Acres, recorded 01/27/94; Oakbrook – RZ from AG to R-1A/CD, Res. #2005-72, 02/14/05; Oakbrook – CD Conceptual Plan / Prelim. Plat, Res. #2005-71, 02/14/05; Oakbrook First Plat – CD Final Plan / Final Plat, Res. #2005-350, 08/22/05; Oakbrook First Plat – Final Plat, recorded, 07/19/06; Oakbrook Second Plat – CD Final Plan / Final Plat, Res. #2005-351, 08/22/05; Oakbrook Second Plat – One Year Extension to record Final Plat, Res. #2006-263, 08/14/06.

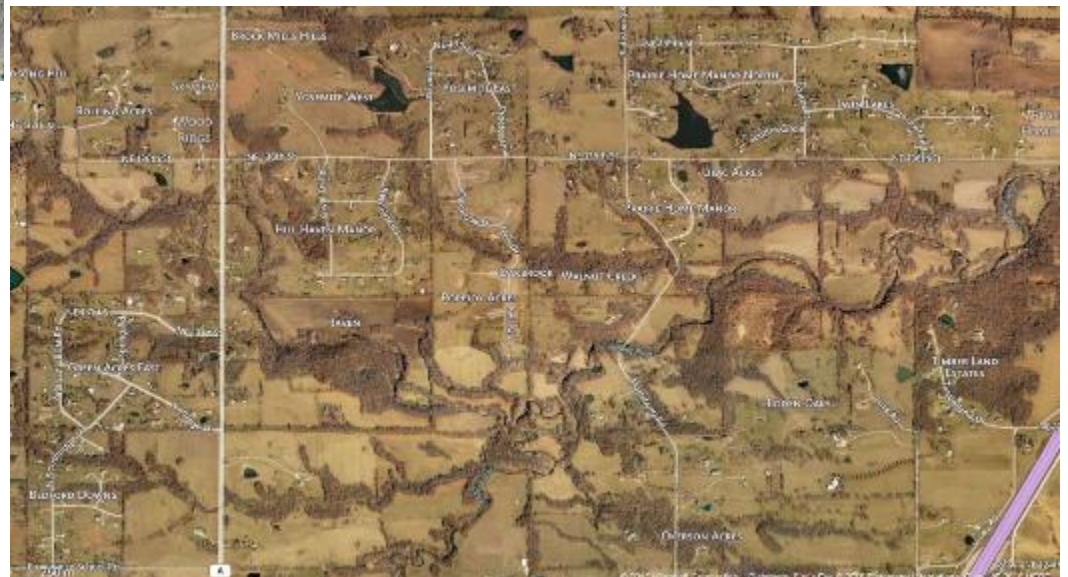
Surrounding Landuse & Zoning:

- North - Oakbrook First Plat (R-1A/CD), Yosemite East (R-1), Yosemite West (R-1A), Agricultural (AG) zoned land
- East - Prairie Home Manor (R-1), Agricultural (AG) zoned land
- South - Riverview Estates (R-1A), Agricultural (AG) zoned land
- West - Hill Haven Manor (R-1 & R-1A), Agricultural (AG) zoned land

Current Conditions:



Courtesy Clay County Assessor,
GIS/Mapping



Courtesy Microsoft® Bing™



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Assessment

Will Souders, P.E., of Aylett, Survey & Engineering Co. representing Star Development Corp is requesting **Conservation District ("CD") Final Plan and Final Plat** (henceforth referred to as "Plan/Plat") approval for Oakbrook Second Plat, 84± acres located along NE 136th Street between A Hwy and Plattsburg Road.

The second phase of the Oakbrook subdivision was previously approved in 2005-06, but never developed due to the unforeseen housing market recession. The present Plan/Plat essentially embodies an exact replica of the previously approved version in 2005-06: 31 single-family residential building lots with approximately 42.24± acres of private open space in 2 tracts.

Character of the General Neighborhood

Residential Rural (R-1) and Residential Low Density District (R-1A) zoned property is each direction of the property. Hill Haven Manor (R-1) is adjoining on the west. Agriculturally (AG) zoned land is to the east and south [see Attachment B].

Code Considerations

The review procedures and submittal content for a Conservation District ("CD") Final Plan and Plat must be in substantial compliance with the approved CD Concept Plan and Preliminary Plat in accordance with the requirements under **Section 151-3.7 (B)** and **Section 151-3.6 (D)**, respectively, of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request *appears to substantially comply with the LDC and CD Concept Plan and Preliminary Plat*.

The application was properly noticed, per regulations and adjacent property owners were notified within the mandated 1,000 foot distance by means of a letter dated July 17, 2015.

Outside Agency Review

Streets

The Clay County Highway Department has noted the following [see conditions listed under Exhibit A-2]:

"Approval for Oakbrook Second Plat is pending asphalt overlay upgrades to NE 132nd Terrace and Reynolds Road to NE 136th Street. Highway specifications require a 2" overlay of the roads leading to the exit of Hill Haven Manor onto NE 136th Street."

Water

The Public Water Supply District No. 6 of Clay County (PWSD #6) has indicated water is available for Oakbrook Second Plat, and has accepted the water main extension plans as submitted.

Fire Protection

The Kearney Fire Department serves this property and has reviewed the water main extension plans. They are requiring verification that NE 132nd Terrace will connect with Reynolds Road thus giving the subdivision two points of access. The water main extension looks good being able to give 9 additional fire hydrants for a total of 23 fire hydrants.

Sanitary Sewer

The Timber Creek Sewer Company would request that the force main (line 4) be extended to the west border of the subdivision, at the end of NE 132nd Terrace. Upon completion of the construction and inspections of the new facilities, the Timber Creek Sewer Company will be the continuing authority to operate and maintain the sewer line expansion.



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Findings

In order to provide the necessary second point of access to a public road for a Conservation District (CD) per LDC Section 151-5.2 (B) (9) on p. 74, the applicant and owner must utilize the existing "60' WIDE ROAD EASEMENT" on the recorded plat of Hill Haven Manor III by constructing a new public road (NE 132nd Terr.) segment to traverse within said ROAD EASEMENT according to the *Clay County Technical Specifications and Design Criteria Manual*. The applicant and owner have indicated that in order to construct said new public road segment they need to acquire a 15-foot temporary construction easement along both sides of the ROAD EASEMENT from the owner(s) of both Lot 7 and 20 of Hill Haven Manor III. As of the date of this writing, no easements have been obtained. As such, staff recommends that the subject request be tabled to allow more time for the applicant and owner to obtain the necessary temporary construction easements.

Clay County's on-call consulting engineering firm, Shafer Kline & Warren ("SKW"), has submitted their comments dated July 28, 2015 regarding the storm and street plans as submitted by the applicant. The applicant and owner must implement and adhere to SKW comments prior to the construction of any improvements, as well as obtain a land disturbance permit from Missouri Department of Natural Resources (MDNR) and Clay County.

An existing pond has been located in the vicinity of Lot 54 and 55 after the Plan/Plat drawings were submitted, and must be removed prior the recording of the final plat.

Recommendations

Staff recommends the **Conservation District Final Plan and Final Plat of Oakbrook Second Plat be TABLED to the next PZC meeting (September 1, 2015) to allow more time for the applicant and owner to obtain temporary construction easements from Hill Haven Manor Lot 7 and 20.** However, if the PZC votes to approve, staff recommends the following conditions as shown on Exhibit A-1 and A-2:

Exhibit A-1 (CD FINAL PLAN CONDITIONS)

1. The following are changes or notes that should be added to copies of the Final Plan:
 - a. CHANGE: Title name of Tract A to Tract E and Tract C to F (Note 2 & in Plan drawing)
 - b. CHANGE: Per FEMA MAP #29047C0135E, Panel No 135 of 150, Dated August 3, 2015
 - c. CHANGE: Development Data Chart to the year 2015 and beyond.
 - d. CHANGE: Note 11 to read as follows: "The location of Butterfly Garden and trees are approximate and may be modified to existing landscape and topographical conditions."
 - e. CHANGE: Street names as noted for Final Plat.

Exhibit A-2 (FINAL PLAT CONDITIONS)

1. Requirements of the Clay County Highway Department are as follows:
 - a. Two (2)-inch asphalt overlay for all of Reynolds Road from NE 136th Street to the south edge of the hammerhead of NE 132nd Terrace, as well as the section of NE 132nd Terrace included in Hill Haven Manor.



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- b. Landscaping islands located in the middle of the cul-de-sacs to be maintained by the Homeowners Association.
 - c. A Developers Agreement for the roads will need to be approved by the County Commission prior to recording the Final Plat.
 - d. Any improvements to existing street right of way, which would include any damages within or abutting Hill Haven Manor or Oakbrook First Plat, must be completed according to the *Clay County Technical Specifications and Design Criteria Manual*.
 - e. Street boring permits, construction plans & fees must be obtained prior to working on any existing road.
2. The following are changes or notes that should be added to the recording copies of the Final Plat:
 - a. CHANGE: Title name of Tract A to Tract E and Tract C to F
 - b. DELETE: Note #7
 - c. CHANGE: Street names on sheets 2 and 3 should be the same as those on sheet 1 of Final Plat. The Street Improvement Plans –All sheets reprinted with names changed.
 - d. CHANGE: References within the signature areas, Logo area to Oakbrook 2nd Plat change to Oakbrook Second Plat.
 - e. CHANGE: Streamside Zone 2 should be changed from 100' to 25'.
 - f. MOVE: the existing note on Sheet 2 and 3 regarding the stream buffer setbacks to Sheet 1.
 - g. ADD: a note on Sheet 1 to read "Tracts E and F are permanent open space and shall not be used for any habitable dwellings."
 - h. ADD: a note on Sheet 1 to read "Private Open Space tracts E and F to be maintained by the Homeowners Association."
 - i. ADD: a note on Sheet 1 to read "Designated Special Flood Hazard Areas (SFHA) per FEMA FIRM Map #29047C0135E, Panel No 135 of 150, Dated August 3, 2015."
 - j. ADD: to legend W/E - meaning
3. Implement and adhere to Clay County's on-call consulting engineering firm (SKW) comments dated July 28, 2015 prior to the construction of any improvements.
4. Owner must obtain a land disturbance permit from Missouri Department of Natural Resources (MDNR) and Clay County prior to the construction of any improvements.
5. All water lines within the subdivision should be sized and constructed of materials, and with fittings to allow the connection of fire hydrants as specified by the Kearney Area Fire Protection District.
6. Homeowner association covenants are required to be recorded with the Final Plat.
7. The homeowner shall provide a specific surface water management plan (SWMP) to the Homeowners Association and the County at the time of Building Permit application.
8. The existing pond in the vicinity of Lot 54 and 55 must be removed prior the recording of the final plat.



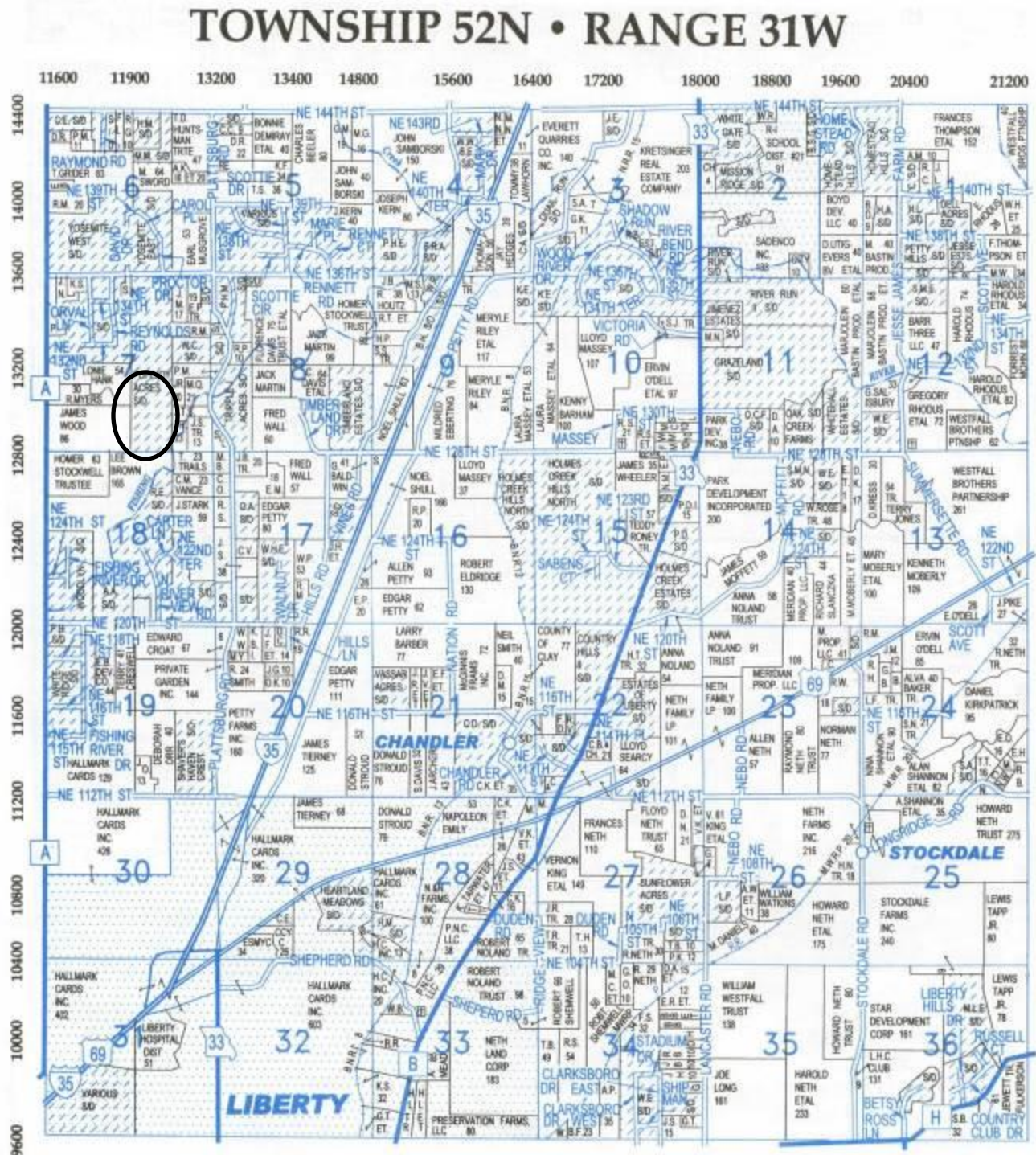
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Attachments

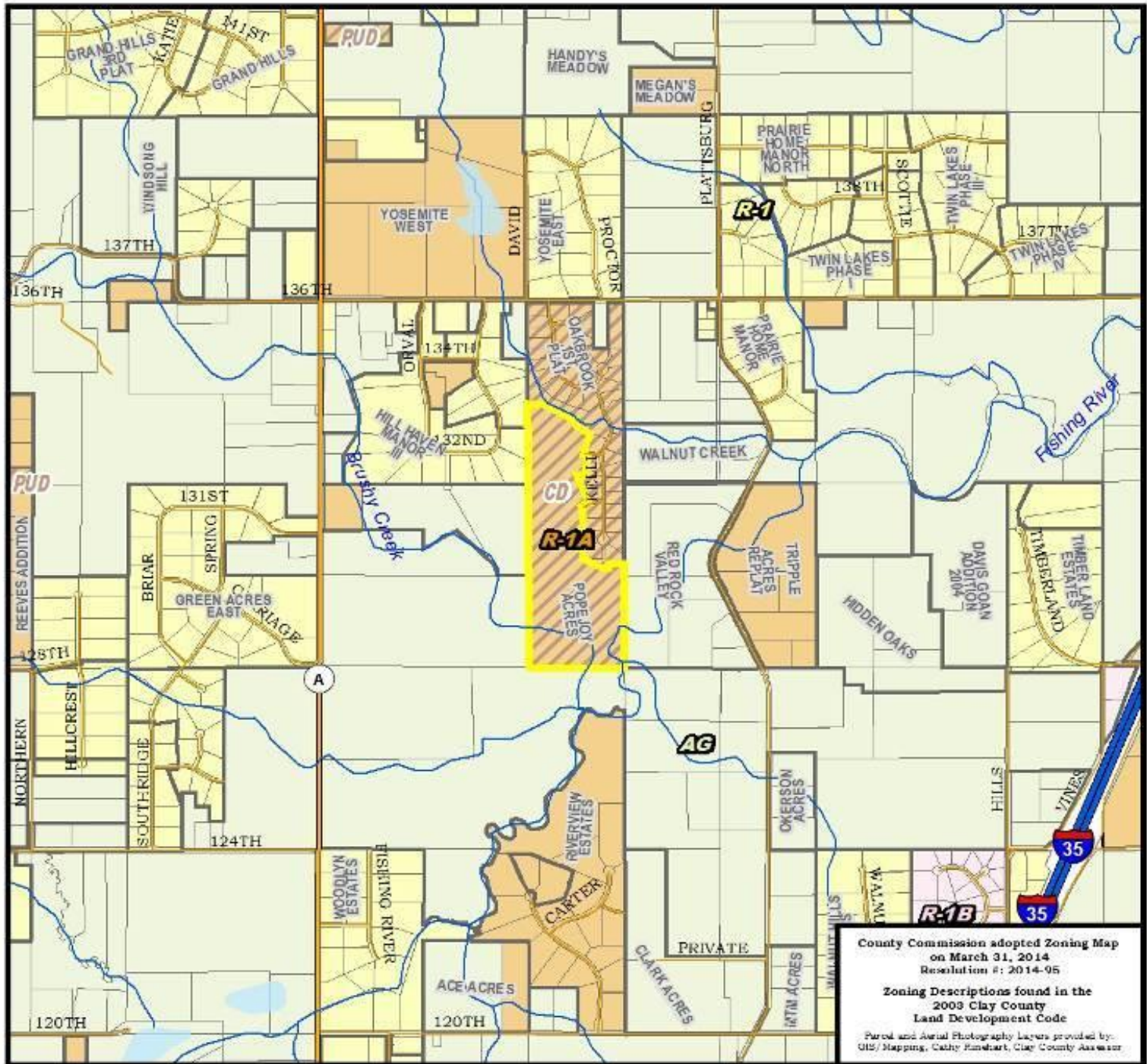
August 15-132F – Oakbrook Second Plat

Attachment A - Vicinity Map



Aug 15-132F – Oakbrook Second Plat

Attachment B - Existing Conditions Map



County Commission adopted Zoning Map
on March 31, 2014
Resolution #: 2014-95
Zoning Descriptions found in the
2003 Clay County
Land Development Code
Parcel and Aerial Photography Layers provided by:
GIS/Mapping, Cathy Hammett, Clay County Assessor

Planning & Zoning Department

1 inch = 2,000 feet
1 inch = 0.38 miles

LEGEND

- Property Line
- ~ Roads
- ~ Interstates
- ~ State Highways
- ~ Local Roads
- ~ Railroads
- ~ Highway Ramps
- Subdivisions
- City Limits
- Parks
- County Boundaries

Overlay Districts

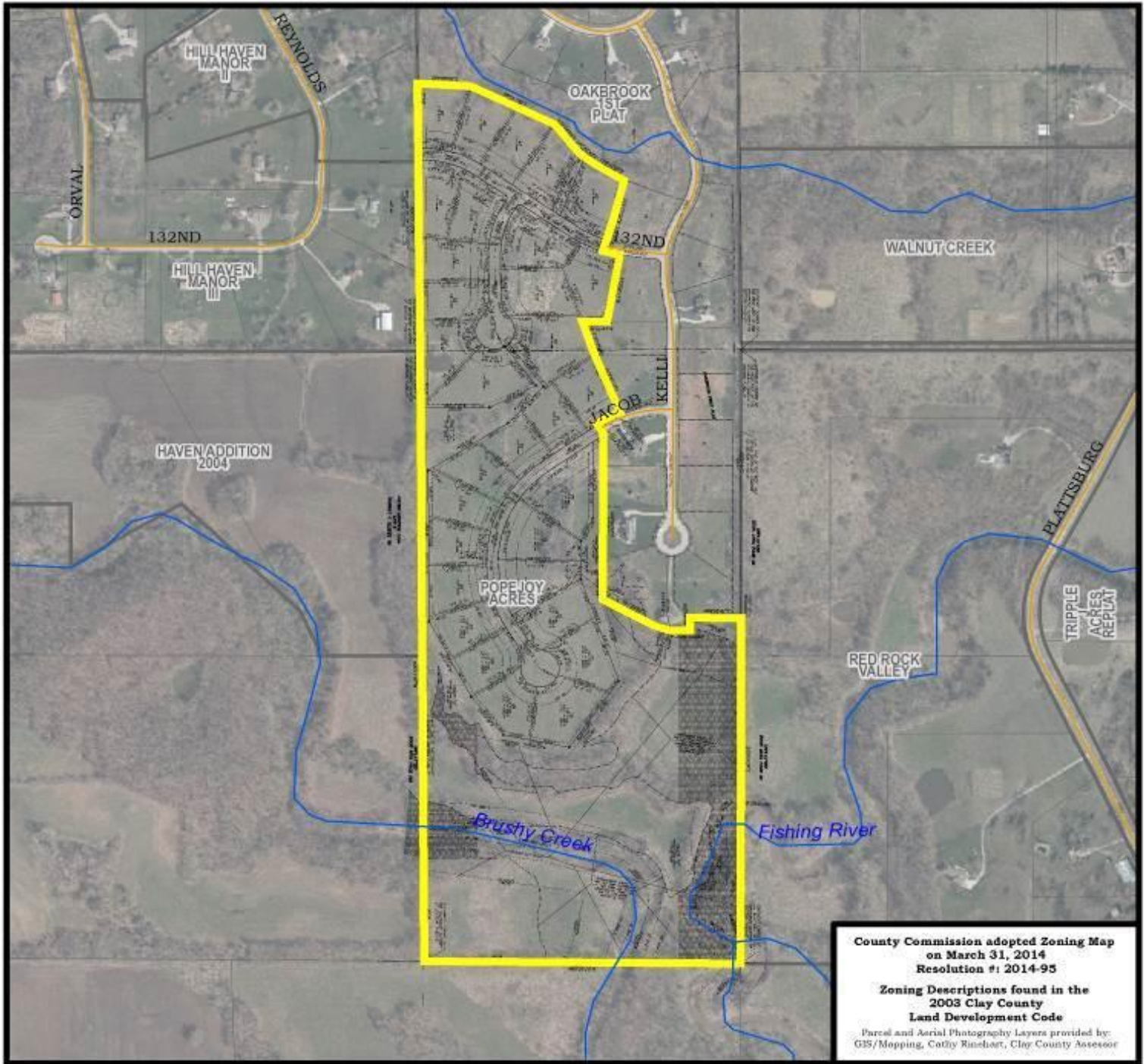
- CD (Conservation District)
- PUD (Preservation Overlay District)
- PUD (Planned Unit Development)

Zoning Districts

- AG
- R-1
- R-1A/R-2
- R-1B/RU
- R-3
- C-1
- C-2
- C-3
- I-1
- I-2
- OP

Aug 15-132F – Oakbrook Second Plat

Attachment C - Site Plan Map



Planning & Zoning Department



1 inch = 600 feet
1 inch = 0.11 miles

LEGEND

- | | | |
|---------------|----------------|-------------------|
| Property Line | Roads | Subdivisions |
| Streams (EPA) | Interstates | City Limits |
| Railroads | State Highways | Parks |
| | Local Roads | County Boundaries |
| | Highway Ramps | |